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UBER TECHNOLOGIES, INC.  
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WAYMO LLC,  
  
Plaintiff,  
  
v.  
  
UBER TECHNOLOGIES, INC.,  
OTTOMOTTO LLC; OTTO TRUCKING LLC,  
  
Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF THOMAS J.  
PARDINI IN SUPPORT OF  
PLAINTIFF WAYMO LLC'S  
ADMINISTRATIVE MOTION TO  
FILE UNDER SEAL ITS REPLY  
MEMORANDUM OF LAW IN  
SUPPORT OF ITS MOTION FOR  
JURY INSTRUCTION BASED ON  
SPOILIATION (DKT. 2265)**

I, Thomas J. Pardini, declare as follows:

1. I am a member of the Bar of the State of California and an attorney at the law firm of Morrison & Foerster LLP. I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Plaintiff Waymo LLC's Administrative Motion to File Under Seal Its Reply Memorandum of Law in Support of Its Motion for Jury Instruction Based on Spoliation (Dkt. 2265).

2. I have reviewed the following documents and confirmed that only the portions identified below merit sealing:

Document	Portions to Be Filed Under Seal
Exhibit 1 to Waymo's Reply	Exhibits A-C (pages 8-56)

3. Exhibit 1 to Waymo's Reply is a declaration which includes its own exhibits, Exhibits A-C, containing code excerpted from an imaged cell phone's configuration files. This code could implicate the privacy and security interests of an individual involved in this case, if examined by someone familiar with the technology. Defendants request this information be sealed to protect this individual's personal privacy and security interests and prevent possible harm or harassment.

4. Defendants' request to seal is narrowly tailored to the portions of Waymo's Reply and supporting exhibits that merit sealing.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 28th day of November, 2017 at San Francisco, California.

/s/ Thomas J. Pardini

Thomas J. Pardini